

REMARKS

Claims 1, 8-11, and 24-48 are pending in this application. Claims 1, 8-11, 24-33, and 39 are amended. Claims 2-7 and 12-23 are canceled. Claims 44-48 are new.

Objection to the Specification

The Examiner objects to the specification alleging it fails to provide proper antecedent basis for "computer readable medium," as recited in claim 1. The Applicants respectfully traverse.

The Applicants submit the specification fully supports a "computer readable medium," as recited in claim 1. For example, paragraph [0039] states:

FIGS. 5-8 illustrate examples showing how graphic images and navigation information are recorded in a main stream on **a high density recording medium such as a BD-ROM**. As shown in FIG. 5, multiple graphic images are recorded in a prescribed recording segment (e.g., A, B, or C) of an audio/video main stream recorded in a data area of a BD-ROM. The multiple graphic images are multiplexed in the prescribed segment.

The Applicants submit that one skilled in the art would understand that "a high density recording medium such as a BD-ROM" is an example of a computer readable medium. Accordingly, the Applicants submit at least FIGS. 5-8 and paragraph [0039] provide support for the "computer-readable medium" recited in claim 1. However, to further prosecution, the Applicants have amended claim 1 to recite "recording medium" rather than "computer readable medium." Support for the instant amendment may be found in at least paragraph [0039] of the specification (see above).

For at least the reasons given above, the Applicants respectfully request the objection to the specification be withdrawn.

Claim Rejections under 35 U.S.C. § 101

The Examiner rejects claims 1, 24, 29, 34 and 39 under 35 U.S.C. § 101 alleging they are directed to non-statutory subject matter. In particular, the Examiner asserts that "computer readable medium" may be interpreted as a signal which is non-statutory subject matter. The Applicants respectfully traverse.

The Applicants have amended claims 1, 24, 29, 34, and 39 to recite "recording medium" rather than "computer readable medium." As discussed above, the

specification fully supports a "recording medium" and provides an example thereof (the BD-ROM recited in paragraph [0039]). The "recording medium" (for example, the BD-ROM) disclosed in the specification is a physical structure, accordingly the Applicants submit the "recording medium" recited in the preambles of claims 1, 24, 29, 34 and 39 cannot be interpreted as including "a signal" as asserted by the Examiner. Accordingly, the Applicants submit the ground for rejecting claims 1, 24, 29, 34, and 39 under 35 U.S.C. § 112, second paragraph, is moot.

For at least the reasons given above, the Applicants respectfully request the rejection of claims 1, 24, 29, 34 and 39 under 35 U.S.C. § 101 as being drawn to non-statutory subject matter be withdrawn.

In the event the Examiner still believes claims 1, 24, 29, 34, and 39 read on a signal, the Applicants respectfully request the Examiner to contact the Applicant's representative to discuss instant issue.

Claim Rejections Under 35 U.S.C. § 103

Claims 1, 8-11 and 24-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (U.S. Patent 6,754,435 B2), and further in view of Digital Video Broadcasting (DVB) Subtitling System, or Google.com: keywords: digital video broadcasting subtitling system (DVB Standard). The Applicants respectfully traverse.

Initially, the Applicants note that Kim discloses a file data structure storing a plurality of video object sets (VOBS), each being made up of video objects arranged in a time series as shown in FIG. 4. Each VOB is made up of a plurality of cells and each cell has information concerning a sequence of a plurality of video object units (VOBUs). Each VOBV includes a navigation data pack and a presentation data pack. Within the presentation data pack are audio, video, and subpicture packs. However, Kim fails to disclose, at least, "a data area storing a **plurality of source packets** of a transport stream, each of the source packets including a transport packet **extra header and a transport packet**, the transport packets representing **a graphic segment** containing a graphic image for overlay on main video data, the graphic segment being multiplexed with a main video stream including the main video data."

The Applicants further submit that the DVB standard fails to disclose "a data area storing a **plurality of source packets** of a transport stream, each of the source packets including a transport packet **extra header and a transport packet**, the transport packets representing **a graphic segment** containing a graphic image for

overlay on main video data, the graphic segment being multiplexed with a main video stream including the main video data," as recited in claim 1. Therefore, even if one skilled in the art did combine the Kim document and the DVB document, the combination would not disclose the instant feature. Accordingly, the Applicants submit the combination of the Kim and DVB documents cannot render claim 1 obvious.

Additionally, the Applicants submit the combination of the Kim and DVB documents is improper. Whereas Kim is concerned with a method of creating caption-based search information for moving picture data recorded on a DVD, the DVB document is concerned only with digital video broadcasting which is not related to recording to or reproducing from a recording medium. Accordingly, the Applicants submit one skilled in the art would not combine such dissimilar documents.

For at least the reasons given above, the Applicants respectfully request the rejection of claim 1, and all claims which depend thereon, under 35 U.S.C. § 103(a) as being obvious over the Kim document in view of the DVB document be withdrawn.

For somewhat similar reasons, the Applicants respectfully request the rejection of claims 8-11, and all claims which depend thereon, under 35 U.S.C. § 103(a) as being obvious over the Kim document in view of the DVB document be withdrawn.

New Claims

Claims 44-48 are new. Support for these claims may be found in at least paragraph [0041] of the specification. These claims are believed to be allowable at least by virtue of their dependency upon their respective base claims.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1 , 8-11, and 24-48 in connection with the present application is earnestly solicited.

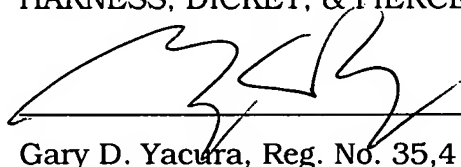
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

A handwritten signature in black ink, appearing to be 'G. Yacura', is written over a horizontal line.

Gary D. Yacura, Reg. No. 35,416
P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

GDY/DMB/cfc